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PART—I

Notifications, Orders and Declarations by Haryana Government.

गृह विभाग

आदेश

दिनांक 8 अप्रैल, 2011

क्रमांक 2/7/96-2गृह गो०.—चूंकि, हरियाणा के राज्यपाल, राज्य में सम्भावित परिस्थितियों को ध्यान में रखते हुए संतुष्ट हैं कि राष्ट्रीय

सुरक्षा अधिनियम, 1980 की धारा 3 की उपधारा (2) के अधीन जिलाधीशों को तुरन्त कार्यवाही करने हेतु प्राधिकृत करना आवश्यक है।

इसलिए, उक्त अधिनियम की धारा 3 की उपधारा (3) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा निर्देश देते हैं कि उक्त अधिनियम की धारा 3 की उप-धारा (2) के अधीन राज्य सरकार की शक्तियाँ हरियाणा राज्य के सभी जिलाधीशों द्वारा भी उनकी अपनी-अपनी अधिकारिता के भीतर, दिनांक 22 अप्रैल, 2011 से 21 जुलाई, 2011 तक तीन मास की अवधि के लिए प्रयोग की जा सकेंगी।

चण्डीगढ़ :

दिनांक : 6 अप्रैल, 2011

समीर माथुर,
वित्तायुक्त एवं प्रधान सचिव, हरियाणा सरकार,
गृह विभाग।

STATE ELECTION COMMISSION

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 4th April, 2011

No. SEC/3ME/2011/794.—As per provisions contained in Section 13D and 13E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain an account of his election expenses from the date of his nomination till the declaration of result. As per orders published in the State Government Gazette *vide* Notification No. SEC/4ME/2006/9706, dated 19th December, 2006, the State Election Commission, Haryana, has fixed the time limit of 30 days from the date of declaration of the result of the election to file/lodge account of election expenses with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and if a candidate, does not do so within the prescribed time limit could be disqualified by the State Election Commission, Haryana for a period of three years.

2. The General Election to Municipal Committee, Assandh, District Karnal, was held on 20th May, 2010 and the result was also declared on the same day. Therefore, election expenses account were to be filed by 19th June, 2010. The following 33 candidates failed to lodge account of their election account within 30 days of declaration of the result :—

Sr. No.	Name of candidate	Ward No.
1	2	3
1.	Shri Kuldeep Singh	1
2.	Shri Charanjeet	1
3.	Shri Jagat Ram	1
4.	Shri Nika	1
5.	Shri Vinod Kumar	1
6.	Shri Shamsheer Singh	1
7.	Shri Suresh Kumar	1
8.	Smt. Kusum Rani	2
9.	Smt. Dharamo Devi	2
10.	Smt. Sunita Rani W/o Shri Virender Kumar	2

1	2	3
11.	Smt. Sunita Rani S/o Shri Anil Kumar	3
12.	Smt. Asha Rani	5
13.	Shri Karan Singh	6
14.	Shri Natha Singh	6
15.	Smt. Bhahani Devi	6
16.	Shri Mohan Lal	6
17.	Shri Viond	6
18.	Shri Sahib Singh	6
19.	Shri Hukam Chand	6
20.	Shri Sunil Kumar	8
21.	Smt. Richa Rani	9
22.	Smt. Sangeeta	9
23.	Shri Gurpreet Singh	10
24.	Shri Raldu Ram	10
25.	Shri Moman Ram	11
26.	Shri Kailash Chand	12
27.	Shri Ramesh Goyal	12
28.	Shri Ramesh Dua	12
29.	Shri Vikram	12
30.	Smt. Santosh	12
31.	Shri Amarjeet Singh	14
32.	Smt. Kitaboo Devi	15
33.	Smt. Vidhya Devi	15

3. They were issued show cause notice as to why they should not be disqualified as they had not filed the election expenses account within the prescribed time. They were personally heard by me on 4th March, 2011 at 11.30 A.M. in the Court Room of Deputy Commissioner, Karnal. Out of 33 candidates, 5 candidates mentioned at Sr. No. 7, 8, 12, 24 and 27 have submitted their accounts to the Commission alongwith replies to the Show Cause notice stating that they were not aware of the rule regarding submission of the election expenditure register account.

4. At the time of personal hearing on 4th March, 2011, out of 33 candidates 9 candidates mentioned at Sr. No. 7, 18, 20, 24, 27, 28 and 31 appeared for personal hearing and the candidate mentioned at Sr. No. 3 and 12 were represented by their sons Shri Suresh Kumar and Shri Bharat Bhushan, respectively. The following submissions were made by above mentioned persons :—

- (i) Shri Suresh Kumar, who appeared on behalf of his father mentioned at Sr. No. 3, stated that due to death of his brother-in-law, expenditure register was misplaced and therefore, he would not deposit the same.
- (ii) Shri Suresh Kumar, mentioned at Sr. No. 7, stated that after receiving the show cause notice, he had sent his expenditure register to the Commission on 29th December, 2010, by post. The officer concerned of the Commission who was present at the time of hearing confirmed that the expenditure register has been received in the Commission on 3rd January, 2011.

- (iii) Shri Bharat Bhushan, who appeared on behalf of his mother mentioned at Sr. No. 8, stated that after receiving the show cause notice he had himself deposited the expenditure register with the Commission on 20th December, 2010. The officer of the Commission, who was present at the time of hearing, confirmed that reply of Smt. Kusum had been received in the Commission 3rd January, 2011 in which she has informed that she has made expenditure of Rs. 20,000/-.
- (iv) Shri Sahib Singh, mentioned at Sr. No. 18, stated that he has deposited his expenditure register in the Municipal Committee, Assandh after one or two days of the election, he also submitted photo copies of the expenditure at the time of hearing. He has also requested to file the notice. The Secretary, Municipal Committee, Assandh, who was present at the time of hearing informed that he could not find the same time in record of the Committee.
- (v) Shri Sunil Kumar, mentioned at Sr. No. 20, stated that he had deposited his expenditure register with Shri Vinod Kumar, JE. But due to transfer of Shri Vinod Kumar, his expenditure register has been lost or is with the JE. On asking, he could not produce any proof in this regard.
- (vi) Shri Ruldu Ram, Shri Ramesh Goel, Shri Ramesh Dua and Shri Amarjit, mentioned at Sr. No. 24, 27, 28 and 31 appeared and stated that they were not aware of the provisions regarding furnishing of expenditure accounts, and as such they could not deposit the election expenditure register in time. After receiving the show cause notice, candidate mentioned at Sr. No. 24 and 27 have sent their election expenditure on 24th December, 2010 and the officer of the Commission confirmed that the account of both the candidates have been received in the Commission on 24th December, 2010. The candidate mentioned at Sr. No. 28 and 31 submitted their election expenditure at the time of hearing.

5. From the records and based on the submission made at the time of hearing, 8 candidates mentioned at Sr. No. 7, 8, 12, 18, 24, 27, 28 and 31 have deposited their election expenditure statement after the prescribed time. On perusal of record of the case and hearing of the candidates mentioned above, it has been observed that the candidates are generally not aware of the procedure of filing the election expenditure statement and consequently they do not submit such statements. Most of them have submitted expenditure account after receipt of show cause notices. Therefore, in view of the above and taking lenient view in the matter, the 8 candidates mentioned above are hereby exempted from filing their election expenditure statement beyond the prescribed time with warning not to repeat such lapse in the future. As per report, Shri Hukam Chand mentioned at Sr. No. 19, has expired. Therefore, the question of his disqualification does not arise.

6. All the remaining candidates did not submit their election expenditure statement even after the receipt of Show Cause Notices. Hence, as per provision made in Section 13D of the Haryana Municipal Act, 1973, candidates mentioned at Sr. No. 1, 2, 3, 4, 5, 6, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, 25, 26, 29, 30, 32 and 33 mentioned in para No. 2, are hereby disqualified for a period of 3 years from the date of this order.

7. The office is directed to send a copy of the order to all concerned and also get it notified in the Haryana Government Gazette.

Panchkula :
The 31st March, 2011

DHARAM VIR,
State Election Commissioner, Haryana.